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Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53

PTO/SB/21 (03-03) 2007-2003 OMB 0651-0031, Opproved for use through 04/30/2003.

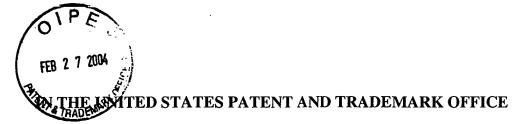
|  | Inder the Palathork Reduction Act of 1995   | no nemon           | U.S. Paten   | nt and Tr  | ademark ( | for use through 04/30/2003. OMB 0651-0031  Office; U.S. DEPARTMENT OF COMMERCE nless it displays a valid OMB control number.   |  |  |
|--|---|--------------------|--|--|-----------|--|--|--|
| TRADEMARK  |   | Application Number | 09/76  | •  | PECEIVED  |  |  |  |
| TRANSMITTAL FORM  (to be used for all correspondence after initial filing) |   |                    | Filing Date  | January 18, 2001  Ming-Hui WEI  1636  MAR 0 8 2004 |           |  |  |  |
|  |   |                    | First Named Inventor   |  |           |  |  |  |
|  |   |                    | Art Unit   |  |           | MAR () 8 2004  |  |  |
|  |   |                    | Examiner Name  | Q. Nguyen  |           |  |  |  |
| Tot  | al Number of Pages in This Submission   |                    | Attorney Docket Number   | CL000  | 0964CIP   |  |  |  |
| ENCLOSURES (Check all that apply)  |   |                    |  |  |           |  |  |  |
|  | Fee Transmittal Form  |                    | Drawing(s)   |  |           | After Allowance Communication to a Technology Center (TC)  |  |  |
| \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \                                      | Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement |                    | Licensing-related Papers  Petition  Petition to Convert to a  Provisional Application  Power of Attorney, Revocation  Change of Correspondence Addre  Terminal Disclaimer  Request for Refund  CD, Number of CD(s) | ess  |           | Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Other Enclosure(s) (please Identify below): |  |  |
|  | Certified Copy of Priority Document(s)  | Livellia           |  |  |           | ,  |  |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |  |  |  |  |  |
|--|--|--|--|--|--|--|
| Firm<br>or<br>Individual                   | Lin Sun-Hoffman, Registration No. 47,983 |  |  |  |  |  |
| Signature                                  |  |  |  |  |  |  |
| Date                                       | February 27, 2004                        |  |  |  |  |  |

| CERTIFICATE OF TRANSMISSION/MAILING  |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|
| I hereby certify that this correspondence is being facsimile transmitted to the first class mail in an envelope addressed to: Commissioner for Patents, Wast | USPTO or deposited with the United <u>States Postal Service with sufficient</u> postage as nington, DC 20231 on this date: |  |  |  |  |  |  |  |
| Typed or printed   |  |  |  |  |  |  |  |  |
| Signature  | Date   |  |  |  |  |  |  |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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In re Application of: WEI et al.

Art Unit: 1636

Serial No.: 09/761,640

Examiner: Q. Nguyen

Filed: January 18, 2001

Atty. Docket: CL000964 CIP

For: ISOLATED HUMAN PHOSPHATASE PROTEINS, NUCLEIC ACID MOLECULES ENCODING HUMAN PHOSPHATASE PROTEINS, AND USES THEREOF

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## **Response to 1<sup>st</sup> Office Action**

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Office Action issued by Examiner Nguyen on August 27, 2003, Applicants request reconsideration of the above-referenced patent application in view of the following amendments and remarks. Please charge the attached Petition for Three-Month Extension of Time to Deposit Account No. 50-0970.

## In the claim:

- 1-3 (Canceled).
- 4. (Currently Amended) An isolated nucleic acid molecule encoding a phosphatase protein consisting of a nucleotide sequence selected from the group consisting of:
- (a) a nucleotide sequence that encodes a protein comprising the an amino acid sequence of SEQ ID NO:2;
  - (b) a nucleotide sequence consisting of the nucleic acid sequence of SEQ ID

NO:1; and

NO:3.

- (c) a nucleotide sequence consisting of the nucleic acid sequence of SEQ ID
- 5-7 (Canceled).
- 8. (Previously presented) A nucleic acid vector comprising a nucleic acid molecule of claim 4.